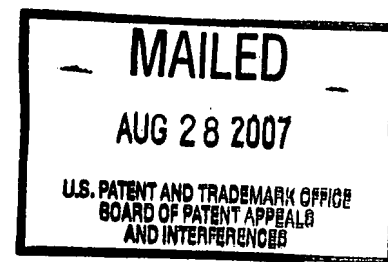


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte : TEDDY KOSOGLU, RUDYARD J. RESS,
JOHN T. STRONY, ENRICO P. VELTRI and WILLIAM HAUER

Application No. 10/057,339

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 22, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

ORDER RETURNING UNDOCKETED APPEAL

INFORMATION DISCLOSURE STATEMENT

On January 31, 2006, the Board of Patent Appeals and Interferences mailed an Order Returning Undocketed Appeal (hereinafter Order), advising the Examiner that a review of the record revealed there was no indication that the Information Disclosure Statements dated August 26, 2002, August 23, 2002 and August 21, 2002, have been considered. The Order required the Examiner to consider and acknowledge the above identified Information Disclosure Statements. However, a further review of the record reveals that the Information Disclosure Statement dated August 23, 2002, still has not been considered or acknowledged (no signed

Application No. 10/057,339

Form 1449).

INFORMATION DISCLOSURE STATEMENT

Further, appellant filed an Information Disclosure Statement (IDS) dated April 16, 2007.

There is no indication on the record that the above Information Disclosure Statement was considered by the Examiner.

The Manual of Patent Examining Procedure (MPEP) 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written communication notifying appellant of the Examiner's consideration of the above Information Disclosure Statement is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) issue and mailed a form PTOL-90, acknowledging consideration of the Information Disclosure Statements dated August 23, 2002 and April 16, 2007; and
- 2) for any further action as deemed appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



PATRICK J. NOLAN
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Application No. 10/057,339

PJN/dpv

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